

b.) Remarks

Claims 1-13, 15-39, 41-53 are pending in this application. Claims 1, 6, 8, 9, 15, 16, 24, 28, 32, 34, 35, 41, and 42 have been amended in various particulars as indicated hereinabove. New Claims 48-53 have been added to alternatively define the invention. Claims 14 and 40 have been cancelled without prejudice or disclaimer.

In review of the instant amendments: In a number of instances "side-firing" was changed to "side-coupling". After some thought, side-coupling seemed like a better descriptor give that the optical fibers generally emit or collect light. "Side-firing" seemed to connote emission. In a number of the independent claims, at least one capillary tube having at least two bores was added to the claims. In other independent claims, the side-coupling terminations are now described as being arranged lateral to each other with respect to an axis of the probe.

Claims 1, 8, 12-14 and 16-22 were rejected under 35 U.S.C. 102(b) as being anticipated by Ramsbottom (U.S. Pub. No. 2003/0179448). In a related rejection, claims 2-7, 9-11, 15, 23 and 28-47 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsbottom (U.S. Pub. No. 2003/0179448) in view of Boppart (U.S. Patent No. 6,485,413). These rejections are respectfully traversed for the following reasons.

Independent claim 1 has been amended based on the subject matter of original claim 14. In particular, it now requires capillary tube(s) having bores into which the optical fibers are respectively inserted.

The capillary tubes of original claim 14 were analogized to the main body 5 of the Ramsbottom device. Claim 1 requires two bores, each receiving a different optical fiber.

Independent claim 28 has similar requirements.

Thus there is not anticipation with respect to these claims.

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Independent claims 8 and 34 require that the side-coupling terminations are lateral to each other. In contrast, the prisms in the Ramsbottom device are longitudinal to each other.

Thus there is no anticipation with respect to these claims, either.

Claims 24-27 were rejected under 35 U.S.C. 102(b) as being anticipated by Boppart (U.S. Patent No. 6,485,413). This rejection is respectfully traversed for the following reasons.

Independent claim 24 requires capillary tube(s) having bores into which the optical fibers are respectively inserted. Boppart does not show such a feature.

Thus there is no anticipation with respect to this claim, either.

Applicants believe that the present application is in condition for allowance. A Notice of Allowance is respectfully solicited. Should any questions arise, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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